IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 17518 of 2007(I)

PETITIONER:

SUNNY JOSEPH,
LIBRARIAN GRADE-I, KERALA GOVERNMENT POLYTECHNIC COLLEGE, CALICUT.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY ITS
PRINCIPAL SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.17518 OF 2007

Dated this the 18th day of July, 2007

JUDGMENT

Grievance of the petitioner who is stated to be working as Librarian Grade-II in Government Polytechnic College at Calicut is that he has been denied promotion overlooking his seniority. He contends that several of his juniors like Mr.A.Moideen and others placed at Sl.Nos.43 to 55 in Ext.P4 seniority list, have been given promotion ignoring the claim of the petitioner based on his seniority. It is also contended that several provisionally promoted employees have been placed ahead of him in Ext.P4 seniority list.

2. Anyhow, I do not deem it necessary to deal with those contentions at this stage, in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner has submitted Exts.P4 and P5 representations before respondents highlighting all his grievances and the relevant aspects of the issue. Learned Government Pleader, after getting instructions, submits that Ext.P6 is available in the file of the department concerned but Ext.P5 could not be traced out. Anyhow, since Ext.P6 is pending consideration, I do not find any

reason why the respondent cannot be directed to take a decision thereon expeditiously.

3. In the above facts and circumstances, writ petition is disposed of with a direction to the respondent to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Necessarily, the respondent shall ensure that Sri.A.Moideen and all others who are likely to be affected by any order that may be passed by the respondent, are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce copy of the writ petition along with a certified copy of the judgment before respondent. He shall also send copies of the above document to Sl.Nos.43 to 55 by registered post with acknowledgment for their information.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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